

REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of this application. Claims 1, 2, 4, 6, 7, 9, 10, 12-14 and 16-20 remain in the application. Of these, claims 1, 2, 4, 6, 9, 12-14, 16, 19 and 20 stand allowed; claims 7, 10, 17 and 18 stand rejected; and claims 7, 10, 17 and 18 stand objected to.

1. Rejection of Claims 3, 5, 7, 8, 10, 11, 15, 17 and 18 Under 35 USC 112, Second Paragraph

Claims 3, 5, 7, 8, 10, 11, 15, 17 and 18 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention. Specifically, the Examiner asserts that these claims are indefinite because:

3. Claim 3 contains the trademark/trade name DU PONT QG150.
4. Claims 5, 8, 11, and 15 contain the trademark/trade name KQ CL-90-7858.
5. Claims 7-8, 10, and 17 contain the trademark/trade name KQ.

7/13/2005 Office Action, pp. 2-3.

The Examiner cites *Ex parte Simpson* and states that, "the claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product."

Pursuant to M.P.E.P. § 608.01(v):

Names used in trade are permissible in patent applications if: (A) Their meanings are established by an accompanying definition which is sufficiently precise and definite to be made a part of a claim, or (B) In this country, their meanings are well-known and satisfactorily defined in the literature. See M.P.E.P. § 608.01(v) (8th Ed. Rev. 2003).

Applicants assert that the marks "DU PONT QG150", "KQ CL-90-7858" and "KQ" meet at least the second of the above requirements, as discussed in their Amendment dated May 9, 2005. However, to speed allowance of this case, and without prejudice, Applicants have amended claims 7, 10 and 17 to replace references to a "KQ dielectric" with references to a "borosilicate glass-based material with a dielectric constant of about 3.9 and a loss tangent of about 10^{-4} ". Such a substitution is supported, at least, by the paper attached hereto as "Exhibit 1". This substitution was also discussed with (and preliminarily approved by) the Examiner in a phone conference on September 12, 2005.

The specification has been amended in accord with the amendment to claims 7, 10 and 17. Given that the amendment only calls out inherent and well-known properties of KQ dielectrics, it is believed that the amendment does not introduce new matter.

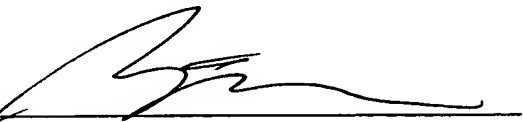
Claims 3, 5, 8, 11 and 15 have been canceled, without prejudice.

In light of the above arguments, Applicants believe their claims 7, 10, 17 and 18 are in allowable form.

2. Conclusion

Given the above amendments and remarks, Applicants respectfully request the timely issuance of a Notice of Allowance.

Respectfully submitted,
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